

IN THE CIRCUIT COURT OF SAINT CHARLES  
STATE OF MISSOURI

BRIAN BRESNAHAN,	)	
	)	
Plaintiff,	)	
	)	Case No.
v.	)	
	)	Division No.
CITY OF SAINT PETERS,	)	
Serve:	)	
One St Peters Centre Blvd.	)	
Saint Peters, MO 63376	)	
	)	
and	)	
	)	
RICK STRUTTMANN,	)	
In his personal and official capacity	)	
as Chief of Police of the	)	
Saint Peters Police Department	)	
Serve:	)	
One St Peters Centre Blvd.	)	
Saint Peters, MO 63376	)	
	)	
and	)	
	)	
RUSS BATZEL,	)	
In his personal and official capacity	)	
as City Administrator of the	)	
City of Saint Peters	)	
Serve:	)	
One St Peters Centre Blvd.	)	
Saint Peters, MO 63376	)	
	)	
Defendants.	)	

**PETITION FOR DAMAGES AND INJUNCTIVE RELIEF**

COMES NOW the Plaintiff, Brian Bresnahan, by and through his undersigned attorney,  
and for his Petition under 42 U.S.C. § 1983, the First Amendment to the United States Constitution,

and Title I, §§ 8, 10 of the Missouri Constitution against Defendants City of Saint Peters, Rick Struttman, and Russ Batzel, states as follows:

1. At all times mentioned herein, Plaintiff was an individual who currently resides at 5E Sunny Wood Ct., Saint Peters, MO 63376, which is located in the County of Saint Charles, State of Missouri.

2. Defendant City of Saint Peters (hereinafter “City”) is a city of the fourth class in the State of Missouri located within Saint Charles County.

3. Defendant Rick Struttman is an individual and the Chief of the Saint Peters Police Department and he is sued in his personal and official capacity. Defendant Struttman is an employee of the City of Saint Peters and was acting in that capacity at all times herein.

4. Defendant Russ Batzel is an individual and the City Administrator of the City of Saint Peters and he is sued in his personal and official capacity. Defendant Batzel is an employee of the City of Saint Peters and was acting in that capacity at all times herein.

5. Plaintiff Brian Bresnahan worked for Defendant City as a Police Officer in the Saint Peters Police Department until on or about June 10, 2020 when his employment was terminated.

6. All acts complained of herein occurred within the County of Saint Charles, State of Missouri.

**Count I**  
**(First Amendment Claim)**

7. On or about June 9, 2020, Plaintiff shared with fellow police officers a twitter post that contained a video clip from the currently airing television show “Paradise PD.” The specific clip was relevant to and critical of ongoing protests that stemmed from the Black Lives Matter (hereinafter “BLM”) movement.

8. Plaintiff's constitutionally protected speech was sent within a text message group wherein all group members were police officers in the Saint Peters Police Department using their personal devices. The group was created to provide a team of officers up to date information regarding BLM protests within Saint Peters. The group contained both work-related and unrelated comments.

9. Saint Peters, Saint Charles County, and the surrounding counties were experiencing general civil unrest which led to some rioting and looting. This civil unrest was widely covered by the media and represented a matter of public concern.

10. In response to Plaintiff's constitutionally protected comments on a matter of public concern, one member of group voiced displeasure and disagreed with the message of the shared video.

11. Plaintiff's comment had no adverse effect on the working relationship or ability for Plaintiff and his fellow officers to perform the duties of their jobs.

12. On or about June 10, 2020, Plaintiff was ordered to Defendant Rick Struttmann's office. Plaintiff arrived in the morning hours after working through the night hours and having time for fewer than two hours of sleep.

13. Defendant Rick Struttmann berated Plaintiff for the comment and ordered him to resign his position within the Saint Peters Police Department. Plaintiff was told that if he resigned that morning, no investigation would commence into the Plaintiff's comment. Plaintiff was further told that if he did not resign that morning, Defendant Rick Struttmann would open an investigation into the comments and, regardless of the investigation, Defendant Struttman would ultimately recommend Plaintiff be terminated and that Defendant Russ Batzel would terminate Plaintiff's employment.

14. At the close of the meeting on or about June 10, 2020, Defendant Chief of Police provided Plaintiff a resignation form, which Plaintiff signed.

15. Plaintiff's termination from the Saint Peters Police Department constitutes constructive discharge by Defendant Rick Struttman.

16. Defendant Struttman's comments and assurance that Plaintiff would be fired if he did not resign rendered Plaintiff's working conditions intolerable and forced Plaintiff to resign.

17. Plaintiff's termination was solely based on and in retaliation of Plaintiff's constitutionally protected speech.

18. Plaintiff's constitutionally protected interest in free speech regarding a matter of public concern outweighs any interest Defendants may have in preventing such speech.

19. Plaintiff's protected speech was made at a reasonable time and in a reasonable manner and did not render the operations of the City inefficient, and his speech did not disrupt City operations in any way.

20. Defendants Struttman and Batzel actions in terminating Plaintiff's employment were intentional, malicious, and showed a complete disregard for due process, First Amendment protections, and other constitutional rights owed to the Plaintiff the First, Fourth, and Fourteenth Amendments to the United States Constitution, and Title I, §§ 8 and 10 of the Missouri Constitution.

21. Plaintiff's termination was an adverse employment action authorized, approved, and/or ratified by the Defendants under the color of state law and violated Plaintiff's rights under the Constitution of the United States and the Constitution of the State of Missouri.

22. As a direct and proximate result of defendants' acts and omissions, Plaintiff has suffered humiliation and embarrassment, emotional distress and mental anguish, pain, suffering, and lost wages and associated damages in an amount yet to be determined.

23. As a direct and proximate result of defendants' acts and omissions, Plaintiff has suffered actual damages and will continue to suffer additional damages, in an amount in excess of \$25,000, exclusive of costs, as well as other monetary and non-monetary benefits.

24. The First Amendment of the United States Constitution grants rights of free speech and associated protections from the federal government. Those rights and protections have been extended to protect against each individual state through the Fourteenth Amendment of the United States Constitution. Article I, § 8 of the Missouri Constitution further solidifies an individual's right of free within the state of Missouri.

25. Plaintiff's termination is unlawful retaliatory termination based on Plaintiff's constitutionally protected speech.

26. All of the actions of Defendant Struttman and Defendant Batzel were careless and reckless and performed in complete disregard of the law and the rights of the Plaintiff, for which conduct and actions, punitive damages are properly imposed in such amounts as will punish the Defendants for their wrongful conduct and deter them from like conduct in the future.

WHEREFORE, Plaintiff prays a judgment in his favor and against all Defendants and thereafter:

(a) injunctive relief against Defendant City reinstating Plaintiff's employment and amenities within the Saint Peters Police Department;

(b) relief against Defendant City in the form of back-pay for the time Plaintiff was not employed by the Saint Peters Police Department;

(c) punitive damages against Defendants Struttman and Batzel;

- (d) costs and attorneys' fees incurred against all Defendants; and
- (e) such other relief as this Court deems just and proper.

Respectfully submitted,

BRUNTRAGER & BILLINGS, P.C.

/s/ Peter O.Bruntrager  
Peter O Bruntrager #67974  
225 S. Meramec Ave.  
Suite 1200  
St. Louis, Missouri 63105  
314-646-0066  
314-646-0065 facsimile  
Attorney for Plaintiff



## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: DANIEL G PELIKAN	Case Number: 2011-CC01169	(Date File Stamp)
Plaintiff/Petitioner: BRIAN BRESNAHAN	Plaintiff's/Petitioner's Attorney/Address PETER OLIVER BRUNTRAGER 1114 MARKET ST ROOM 401 ST LOUIS, MO 63101	
Defendant/Respondent: CITY OF ST. PETERS	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301	
Nature of Suit: CC Other Tort		

## Summons in Civil Case

The State of Missouri to: CITY OF ST. PETERS

Alias:

ONE ST. PETERS CENTRE BLVD.  
SAINT PETERS, MO 63376

COURT SEAL OF



ST. CHARLES COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

12/14/2020  
Date/S/ Cheryl Crowder  
Clerk

Further Information:

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_  
Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: DANIEL G PELIKAN	Case Number: 2011-CC01169	(Date File Stamp)
Plaintiff/Petitioner: BRIAN BRESNAHAN	Plaintiff's/Petitioner's Attorney/Address PETER OLIVER BRUNTRAGER 1114 MARKET ST ROOM 401 ST LOUIS, MO 63101	
Defendant/Respondent: CITY OF ST. PETERS	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301	
Nature of Suit: CC Other Tort		

## Summons in Civil Case

The State of Missouri to: RICK STRUTTMANN

Alias:

ONE ST. PETERS CENTRE BLVD.  
SAINT PETERS, MO 63376

COURT SEAL OF



ST. CHARLES COUNTY

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12/14/2020  
Date/S/ Cheryl Crowder  
Clerk

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Signature of Sheriff or Server

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(Seal)

My commission expires: \_\_\_\_\_  
Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

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## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: DANIEL G PELIKAN	Case Number: 2011-CC01169	(Date File Stamp)
Plaintiff/Petitioner: BRIAN BRESNAHAN	Plaintiff's/Petitioner's Attorney/Address PETER OLIVER BRUNTRAGER 1114 MARKET ST ROOM 401 ST LOUIS, MO 63101	
Defendant/Respondent: CITY OF ST. PETERS	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301	
Nature of Suit: CC Other Tort		

## Summons in Civil Case

**The State of Missouri to: RUSS BATZEL**  
**Alias:**  
**ONE ST. PETERS CENTRE BLVD.**  
**SAINT PETERS, MO 63376**

**COURT SEAL OF**  
  
**ST. CHARLES COUNTY**

**You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.**

\_\_\_\_\_ 12/14/2020 \_\_\_\_\_ /S/ Cheryl Crowder \_\_\_\_\_  
 Date Clerk

Further Information:

## Sheriff's or Server's Return

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- ☐ other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)  
 in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

St. Charles County Sheriff's Department  
201 North Second Street, Ste. 440, St. Charles, MO 63301

## RETURN OF SERVICE - Record # 2020-010212

Case No: 2011CC01169 Court: ST CHARLES  
Plaintiff: BRESNAHAN, BRIAN  
Defendant: CITY OF ST PETERS  
Court / Return Date: 01/13/2020 Doc ID#: 20-SMCC-2261  
Type of Document: CIVIL SUMMONS Zone 03  
Party to be served: CITY OF ST PETERS  
Address: 1 ST PETERS CENTRE BLVD, ST PETERS, MO 63376  
Employment / Alternate:  
Special Info / Pedigree: OTHER TORT

### FINAL SERVICE

PARTY SERVED: <u>SCOTT BAUMGARTNER</u>	
RELATIONSHIP / TITLE: <u>DEPUTY CITY CLERK (RA)</u>	
DATE: <u>12-16-2020</u>	Time: <u>0930</u>
ADDRESS: <u>SAME</u>	
<b>NON-EST OPTIONS:</b> <input type="checkbox"/> UNABLE TO DETERMINE SERVICE <input type="checkbox"/> WRONG/BAD ADDRESS <input type="checkbox"/> QUARANTINE / IN TREATMENT	
<input type="checkbox"/> AVOIDING <input type="checkbox"/> NO CONTACT <input type="checkbox"/> LOCKED ACCESS <input type="checkbox"/> EXPIRED UPON RECEIPT <input type="checkbox"/> OUT ON LEAVE <input type="checkbox"/> SERVED OTHER AGENCY	
<input type="checkbox"/> DECEASED <input type="checkbox"/> MOVED <input type="checkbox"/> INCARCERATED <input type="checkbox"/> NO LONGER EMPLOYED <input type="checkbox"/> RECALLED <input type="checkbox"/> SHORT TURNAROUND	
SCOTT A LEWIS, Sheriff of St. Charles County, Missouri	
By: Deputy Signature <u>[Signature]</u>	DSN <u>188</u>
Printed Name <u>STEVEN ROBERTSON</u>	
TOTAL FEES: <u>\$39.00</u>	

### ATTEMPTS / NOTES

Date	Time	DSN	Comments

DOCUMENT RETURNED TO OFFICE FOR FINAL DISPOSITION:

DEC 17 '20 12:26 \*





## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: DANIEL G PELIKAN	Case Number: 2011-CC01169	(Date File Stamp)
Plaintiff/Petitioner: BRIAN BRESNAHAN	Plaintiff's/Petitioner's Attorney/Address PETER OLIVER BRUNTRAGER 1114 MARKET ST ROOM 401 ST LOUIS, MO 63101	
Defendant/Respondent: CITY OF ST. PETERS	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301	
Nature of Suit: CC Other Tort		

## Summons in Civil Case

The State of Missouri to: CITY OF ST. PETERS

Alias:

ONE ST. PETERS CENTRE BLVD.  
SAINT PETERS, MO 63376

COURT SEAL OF



ST. CHARLES COUNTY

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12/14/2020

Date

/S/ Cheryl Crowder

Clerk

Further Information

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- ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

Mileage \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

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DEC 16 2020

SHERIFF  
ST. CHARLES CO MO

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

**St. Charles County Sheriff's Department**  
201 North Second Street, Ste. 440, St. Charles, MO 63301

## **RETURN OF SERVICE** - Record # 2020-010213

Case No: 2011CC01169 Court: ST CHARLES  
Plaintiff: BRESNAHAN, BRIAN  
Defendant: CITY OF ST PETERS  
Court / Return Date: 01/13/2020 Doc ID#: 20-SMCC-2262  
Type of Document: CIVIL SUMMONS Zone 03  
Party to be served: STRUTTMANN, RICK  
Address: 1 ST PETERS CENTRE BLVD, ST PETERS, MO 63376  
Employment / Alternate: \_\_\_\_\_  
Special Info / Pedigree: OTHER TORT

### **FINAL SERVICE**

PARTY SERVED: <u>SCOTT BAUMGARTNER</u>	
RELATIONSHIP / TITLE: <u>DEPUTY CITY CLERK (RA)</u>	
DATE: <u>12-16-2020</u>	Time: <u>0930</u>
ADDRESS: <u>SAME</u>	
<b>NON-EST OPTIONS:</b> <input type="checkbox"/> UNABLE TO DETERMINE SERVICE <input type="checkbox"/> WRONG/BAD ADDRESS <input type="checkbox"/> QUARANTINE / IN TREATMENT <input type="checkbox"/> AVOIDING <input type="checkbox"/> NO CONTACT <input type="checkbox"/> LOCKED ACCESS <input type="checkbox"/> EXPIRED UPON RECEIPT <input type="checkbox"/> OUT ON LEAVE <input type="checkbox"/> SERVED OTHER AGENCY <input type="checkbox"/> DECEASED <input type="checkbox"/> MOVED <input type="checkbox"/> INCARCERATED <input type="checkbox"/> NO LONGER EMPLOYED <input type="checkbox"/> RECALLED <input type="checkbox"/> SHORT TURNAROUND	
<b>SCOTT A LEWIS, Sheriff of St. Charles County, Missouri</b>	
By: Deputy Signature <u></u>	DSN <u>188</u>
Printed Name <u>STEVEN ROBERTSON</u>	
TOTAL FEES: <u>\$30.00</u>	

### **ATTEMPTS / NOTES**

Date	Time	DSN	Comments

DOCUMENT RETURNED TO OFFICE FOR FINAL DISPOSITION:

DEC 17 '20 12:26 \*



206  
Electronically Filed - St Charles Circuit Div - December 17, 2020 - 02:16 PM

## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: <b>DANIEL G PELIKAN</b>	Case Number: <b>2011-CC01169</b>
Plaintiff/Petitioner: <b>BRIAN BRESNAHAN</b>	Plaintiff's/Petitioner's Attorney/Address <b>PETER OLIVER BRUNTRAGER</b> <b>1114 MARKET ST</b> <b>ROOM 401</b> <b>ST LOUIS, MO 63101</b>
Defendant/Respondent: <b>CITY OF ST. PETERS</b>	Court Address: <b>300 N 2nd STREET</b> <b>SAINT CHARLES, MO 63301</b>
Nature of Suit: <b>CC Other Tort</b>	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: **RICK STRUTTMANN**

Alias:

**ONE ST. PETERS CENTRE BLVD.**  
**SAINT PETERS, MO 63376**

COURT SEAL OF



ST. CHARLES COUNTY

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12/14/2020

Date

/s/ Cheryl Crowder

Clerk

Further Information

## Sheriff's or Server's Return

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other: \_\_\_\_\_:

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

RECEIVED  
AM PM

DEC 16 2020

SHERIFF

ST. CHARLES CO. MO

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For further instructions on all classes of suits, see Supreme Court Rule 54.

St. Charles County Sheriff's Department  
201 North Second Street, Ste. 440, St. Charles, MO 63301

## RETURN OF SERVICE - Record # 2020-010214

Case No: 2011CC01169 Court: ST CHARLES  
Plaintiff: BRESNAHAN, BRIAN  
Defendant: CITY OF ST PETERS  
Court / Return Date: 01/13/2020 Doc ID#: 20-SMCC-2263  
Type of Document: CIVIL SUMMONS Zone 03  
Party to be served: BATZEL, RUSS  
Address: 1 ST PETERS CENTRE BLVD, ST PETERS, MO 63376  
Employment / Alternate:  
Special Info / Pedigree: OTHER TORT

### FINAL SERVICE

PARTY SERVED: <u>SCOTT BAUMGARTNER</u>	
RELATIONSHIP / TITLE: <u>DEPUTY CITY CLERK (RA)</u>	
DATE: <u>12-16-2020</u>	Time: <u>0930</u>
ADDRESS: <u>SAME</u>	
<b>NON-EST OPTIONS:</b> <input type="checkbox"/> UNABLE TO DETERMINE SERVICE <input type="checkbox"/> WRONG/BAD ADDRESS <input type="checkbox"/> QUARANTINE / IN TREATMENT	
<input type="checkbox"/> AVOIDING <input type="checkbox"/> NO CONTACT <input type="checkbox"/> LOCKED ACCESS <input type="checkbox"/> EXPIRED UPON RECEIPT <input type="checkbox"/> OUT ON LEAVE <input type="checkbox"/> SERVED OTHER AGENCY	
<input type="checkbox"/> DECEASED <input type="checkbox"/> MOVED <input type="checkbox"/> INCARCERATED <input type="checkbox"/> NO LONGER EMPLOYED <input type="checkbox"/> RECALLED <input type="checkbox"/> SHORT TURNAROUND	
SCOTT A LEWIS, Sheriff of St. Charles County, Missouri	
By: Deputy Signature <u>[Signature]</u>	DSN <u>188</u>
Printed Name <u>STEVEN ROBERTSON</u>	
TOTAL FEES: <u>\$30.00</u>	

### ATTEMPTS / NOTES

Date	Time	DSN	Comments

DOCUMENT RETURNED TO OFFICE FOR FINAL DISPOSITION:



3083  
Electronically Filed - St Charles Circuit Div - December 17, 2020 - 02:16 PM


## IN THE 11TH JUDICIAL CIRCUIT, ST. CHARLES COUNTY, MISSOURI

Judge or Division: DANIEL G PELIKAN	Case Number: 2011-CC01169
Plaintiff/Petitioner: BRIAN BRESNAHAN	Plaintiff's/Petitioner's Attorney/Address PETER OLIVER BRUNTRAGER 1114 MARKET ST ROOM 401 ST LOUIS, MO 63101
Defendant/Respondent: CITY OF ST. PETERS	Court Address: 300 N 2nd STREET SAINT CHARLES, MO 63301
Nature of Suit: CC Other Tort	

(Date File Stamp)

## Summons in Civil Case

**The State of Missouri to: RUSS BATZEL**  
**Alias:**  
 ONE ST. PETERS CENTRE BLVD.  
 SAINT PETERS, MO 63376

**COURT SEAL OF**  
  
 ST. CHARLES COUNTY

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\_\_\_\_\_ 12/14/2020 \_\_\_\_\_  
 Date /S/ Cheryl Crowder  
 Clerk

Further Information:

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.  
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.  
☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to \_\_\_\_\_ (name) \_\_\_\_\_ (title).  
☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
 in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Sheriff's Deputy Salary  
 Supplemental Surcharge \$ 10.00  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

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DEC 16 2020

SHERIFF  
 ST. CHARLES CO. MO

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS  
STATE OF MISSOURI

BRIAN BRESNAHAN,

Plaintiff,

vs.

CITY OF ST. PETERS, ET AL.

Defendant,

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Cause No.: 2011-CC01169

Division No.:

RETURN OF SERVICE

COMES NOW Plaintiff, and files return of service on Defendant City of St. Peters.

BRUNTRAGER & BILLINGS, P.C.

/s/ Peter O. Bruntrager

Peter O. Bruntrager, #67974

Attorney for Defendant

225 S. Meramec Ave., Suite 1200

Clayton, MO 63105

(314) 646-0066

(314) 646-0065 Fax

[pob@law-stl.com](mailto:pob@law-stl.com)

CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of December, 2020, the foregoing **Return of Service** was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all attorneys of record.

/s/ Peter O. Bruntrager\_\_\_\_\_



IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS  
STATE OF MISSOURI

BRIAN BRESNAHAN,

Plaintiff,

vs.

CITY OF ST. PETERS, ET AL.

Defendant,

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Cause No.: 2011-CC01169

Division No.:

RETURN OF SERVICE

COMES NOW Plaintiff, and files return of service on Defendant Rick Struttman.

BRUNTRAGER & BILLINGS, P.C.

/s/ Peter O. Bruntrager

Peter O. Bruntrager, #67974

Attorney for Defendant

225 S. Meramec Ave., Suite 1200

Clayton, MO 63105

(314) 646-0066

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/s/ Peter O. Bruntrager\_\_\_\_\_

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS  
STATE OF MISSOURI

BRIAN BRESNAHAN,

Plaintiff,

vs.

CITY OF ST. PETERS, ET AL.

Defendant,

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Cause No.: 2011-CC01169

Division No.:

RETURN OF SERVICE

COMES NOW Plaintiff, and files return of service on Defendant Russ Batzel.

BRUNTRAGER & BILLINGS, P.C.

/s/ Peter O. Bruntrager  
Peter O. Bruntrager, #67974  
Attorney for Defendant  
225 S. Meramec Ave., Suite 1200  
Clayton, MO 63105  
(314) 646-0066  
(314) 646-0065 Fax  
[pob@law-stl.com](mailto:pob@law-stl.com)

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